

(16)
5-10-01
FILED
HARRISBURG, PA

MAY 09 2001

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MARY E. D'ANDREA, CLERK
PER 978 DEPUTY CLERK

Darrell G. Ober v. :
Paul J. Evanko, et al. : Civil Action No. 1:CV-01-0084

Joan D. Tesche v. :
CNA Insurance Companies, et al. : Civil Action No. 1:CV-01-0326

Raymond McFadden v. :
CSX Transportation, Inc. : Civil Action No. 1:CV-01-0515

PPG Industries, Inc. v. :
Delta V Technologies, Inc., et al. : Civil Action No. 1:CV-01-0574

O R D E R

I. The above captioned matters have been listed for a case management conference to be held with counsel in my chambers, ninth floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania. Conferences may be conducted by telephone by pursuing the procedure on the attached notice.

II. Conferences will be held as follows on Monday, July 2, 2001:

| | |
|------------|------------------|
| 9:00 a.m. | No. 1:CV-01-0084 |
| 9:30 a.m. | No. 1:CV-01-0326 |
| 11:00 a.m. | No. 1:CV-01-0515 |
| 11:30 a.m. | No. 1:CV-01-0574 |

III. The purpose of this conference is to discuss all aspects of each case including possible simplification of issues, a schedule for the completion of discovery, amendment of pleadings, joinder of parties, filing of motions, and trial. It

is anticipated that discovery has been initiated and will be pursued with dispatch, including compliance with Fed. R. Civ. P. 26(a), so that a realistic trial schedule can be agreed upon at the conference. Although counsel need not comply at this time with the pre-trial submissions requirements specified in Local Rule LR 16.6 and 16.3(b) (as amended on April 15, 1997), it is expected that counsel in attendance will be in compliance with Local Rule LR 16.2.

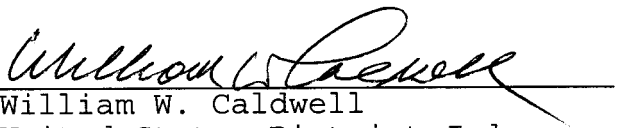
IV. In accordance with Local Rule LR 7.8, all briefs filed in this case shall be limited to fifteen (15) pages. In the event a party moves for leave to file a brief in excess of fifteen (15) pages, the approximate length shall be indicated. No brief (in excess of 15 pages) shall be submitted or filed unless its filing is first authorized by court order. All filings shall be made with the Clerk of Court as specified in the local rules of court. Copies of filings, sometimes labeled "courtesy" copies, shall not be submitted to the court. Copies of the current rules of this court are available from the Clerk of Court.

V. Local Rule LR 16.3 requires lead counsel for each party to meet prior to the management conference and complete a "Joint Case Management Plan" form. The completed form, which is set forth in Appendix B of the local rules, must be filed at least five days prior to the conference. Counsel should also be

conversant with the district's "Expense and Delay Reduction Plan," adopted on August 19, 1993, as required by the Civil Justice Reform Act of 1990.

VI. In the event videos or depositions are to be used at trial, the parties shall plan well organized and concise examinations of witnesses. Ideally a trial deposition should not exceed one hour or so. The court may disallow the presentation of evidence by this means where to do so is determined to be burdensome to the fact finder. Transcripts of any depositions to be utilized at trial in lieu of live testimony shall be available at least three days prior to the date set for jury selection. Objections to testimony that cannot be resolved by counsel shall be brought to the court's attention at least two days prior to trial.

VII. An attorney who has not entered an appearance as of the date of the LR 16.3(b) conference of attorneys, or who does not attend the LR 16.3(b) conference, may not serve as trial counsel, unless extraordinary circumstances are shown to warrant an exception.


William W. Caldwell
United States District Judge

Date: May 9, 2001

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
P. O. BOX 11877
FEDERAL BUILDING
HARRISBURG, PA 17108-1877

WILLIAM W. CALDWELL
JUDGE

May 9, 2001

To All Counsel (and unrepresented litigants):

Because of the time and expense involved in appearing in person you may wish to participate in the case management conference established by the attached notice via a telephone conference call. Should you wish to do so please:

- 1) Secure the concurrence of other counsel.
- 2) Notify me in writing as soon as possible by mail that you will participate by phone.
- 3) Counsel who elects to proceed by telephone shall arrange for the conference call, which shall be held on the date and at the time specified in the notice. [Phone (717) 221-3970].

I would appreciate having all counsel who participate by phone ready to proceed when my office is contacted.

Very truly yours,

William W. Caldwell

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

May 9, 2001

Re: 1:01-cv-00084 Ober v. Evanko

True and correct copies of the attached were mailed by the clerk
to the following:

Don Bailey, Esq.
4311 N. 6th St.
Harrisburg, PA 17110 Fax No.: 717-221-9600

Syndi L. Guido, Esq.
Office of General Counsel, PA Governor's Office
333 Market St.
17th Floor
Harrisburg, PA 17120 Fax No.: FAX: (717) 787-1788

Joanna N. Reynolds, Esq.
Pennsylvania State Police
1800 Elmerton Avenue
Harrisburg, PA 17110

cc:
Judge ()
Magistrate Judge ()
U.S. Marshal ()
Probation ()
U.S. Attorney ()
Atty. for Deft. ()
Defendant ()
Warden ()
Bureau of Prisons ()
Ct Reporter ()
Ctroom Deputy ()
Orig-Security ()
Federal Public Defender ()
Summons Issued () with N/C attached to complt. and served by:
U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5 ()
Order to Show Cause () with Petition attached & mailed certified mail
to: US Atty Gen () PA Atty Gen ()
DA of County () Respondents ()

() Pro Se Law Clerk
() INS
() Jury Clerk

Bankruptcy Court ()
Other _____ ()

MARY E. D'ANDREA, Clerk

DATE: 5-9-01

BY: *[Signature]*
Deputy Clerk